

and drinking been clearer than it is here where you have actually got drinking going on inside the vehicle itself, not at some party an hour or two before somebody gets in a vehicle to drive to go someplace else. So I think out of fairness to Senator Sieck, out of fairness to the bill as part of the effort we have been undertaking for seven or eight years now, to decrease the number of alcohol related fatalities, we should approve this bill and advance it on to Select File. Thank you, Mr. Speaker.

SPEAKER NICHOL: Senator Sieck, please, and then Senator Smith.

SENATOR SIECK: Mr. President, members of the body, in covering Senator Higgins' questions here, she felt that if her husband was not drinking, he would not be liable. By putting my little amendment on, that would put the accusation on those who were actually drinking or who had the open container and her husband would not be accused. And you must also remember that if your car gets towed away, you are responsible for that car. That driver is always responsible for the automobile. So I don't think that holds water. And actually the amendment is helping Senator Higgins' accusations here because if the driver is not drinking and there is someone in the automobile drinking and enticing the driver, then he is subject to a citation. So I feel that the amendment actually makes the bill a lot better bill and clears up so that the driver would not be responsible in all cases. Thank you.

SPEAKER NICHOL: Senator Smith.

SENATOR SMITH: Mr. President, I would like to ask Senator Sieck a question. Okay, now I am more confused because now you are saying that your amendment to the amendments did what exactly, Senator Sieck? You said something about now he, whoever he is, is subject, he has been enticing the driver. Who are you talking about?

SENATOR SIECK: If there is someone in the back seat and has...is drinking, drinking beer...

SENATOR SMITH: Yes.

SENATOR SIECK: ...and the driver loves beer, he would be enticing the driver even though he doesn't want anything.